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ON THE WOST EXAMINABLE TERMS.

O RDERS lieft at the resistence of Mr. Kennedy, on Context street, as Stellar in the case of the Co. How has on the Bulletin office, wild rose by promise of the Stellar in the case of the Co.

#### PAINTING.

Books, pain, tiets, b iets, catalogues, news sive printing contracts i for, and printy is an speedily executed, in the Bulletin book, job newspaper and inding establishment.

#### THE BULLETIN.

WEDNESDAY	Mon	NING,	JUNE	21, 1871,	
JOHN H. OR	erl.v.	Entres	and Pr	missie.	
Trans or THE		DARLY BUXGETINE			

On	e week, by carrier,		1
On	e mouth, by tanit,		7
Th	ree months,	Ø.	23
Six	months,	4	3
One	year,	8	ij

THE DOLLAR WEEKLY BULLETIN.

John H. Oberly & Co. nave reduced the sn't

THE country precincts of Alexander county are opposed to the Cairo and Vincennes railroad. The denizens of the bill on account of some extravagant the country precincts, need we say, are of the various state officers, but they were not to any alarming extent members voted down at all points. Yesterday, in of the democratic party. About two- the senate, a number of amendments were thirds of the voters outside of Cairo are radicals, and a railroad or a bran-new school house, with patent desks, would

frighten them to death.

SAYS the Memphis Avalanche: For the first time in seventeen years the New Hampshire democracy has ob- that nothing will be done with the saltained control of the state government aries of circuit judges, the bill fixing them and legislature. But it is a democracy which recognizes that the federal constitution contains fifteen amendments, "accepted the situation" it began to new constitution without any new prowithout significance.

elected in Illinois this fall, to fill the party, may assess the damages. If this is He talked war enough to revolutionize the vacancy occasioned by the elevation of The democrats should soon take up the subject and determine who shall lead same Asylum, at Anna, which passed both them in the contest for that important houses at the last seasion, failed to become position. To say that the democratic a law. It passed the house on the last day party is in the minority and that effort to elect a democrat as Logan's successor would be futile, is to admit that the dentocrats of Illinois are cowards or have no hope of success. If they are cowards they should surrender at discretion; if they have no hope of success they should either throw down their ity, and that he cannot sign it. There arms in despair or resolve to die fighting in the last ditch. But the democrats are not cowards and they are not it has happened as the natural result of the hopeless. They have braved the force of radical power too often to fear it, and there has not been for many years a time when their prospects for success time arrives. were as bright as they now are. What is wanted among the democrats of Illinois is organization-organization that will instruct the party in its duty and bring its electors to the polls. With such organization we can defeat the radicals and redeem the state : without it our efforts are love's labor lost. To effect such organization, we must, in the first place, have a platform that is sound -one that will meet the issues of the day and rally in its defense and support men who are enthusiastic and determined to succeed in its vindication betore the people. In the next place, we must have a candidate that appreciates the situation-a live, earnest, fearless firm and solid from eight to ter years. man, who can and will carry the war into Africa. And in the next place, we must have a state central committee that understands its business, with a chairman not taken from among those old politicians who lag superfluous on the greatly benefitted. There are other necessary policies that should be inaugurated, which will be suggested to any person who has observed the bungling manner in which the affairs of the democratic party have been managed of late years in this state, but the chiefest necessity of the party is the clearing away of the dead-beat leaders who have no interest in the party that rises above their own personal ambitions—the politic men who look wise and are so noncommittal. These men ought to be made to take a back seat, and the bold, earnest, plucky, fighting men-men of

go to the front.

## FROM SPRINGFIELD.

THE HOBBLING LEGISLATURE JOGGING ALONG.

NO QUORUM IN THE SENATE-BUSINESS NEARLY COMPLETED-BILLS THROUGH AND SQUEEZING THROUGH-"SCULLDUG-SPRISGRIELD, June 13, 1871.

This is Saturday, and, as usual, the senate has no quorum. The present house of r-presentatives is so much larger than the senate that the latter body is able to keep up with the former without working on Saturday, and so, without adjourning, the members quietly slip home for Sanday and return some time during

The work for which the extra session was called is nearly accomplished. All the subjects embraced in the proclamation have been considered, and where it was thought necessary bills have been introfuced and have either passed both house or are well along on the regular road. THE PARK BILLS

are all through; the state house bill and that for the pay of members are through and signed by the governor; the bills for the investigating of the affairs of the penitentiary and of the soldiers orphans home, for the appropriation of an additional \$25,000 for the insane asylum at Jacksonville, and for the payment of school-fund and school-fund interest orders, hav epassed both houses.

AN EMINENT DOMAIN BILL has passed the senate, but is being fought in the house. The opponents of the senate bill hold that no benefits to property in estimating the value of property taken or damaged for public use, while the senate bill provides that such benefits may be give me any fears as regards France or turned to Ohio in 1840; studied law, and taken into the account so far as they are special and are not shared in common with the property not taken.

THE GENERAL APPROPRIATION BILL scription price of the Weekly Cairo Bulletin to One Dollar per annum, making it the cheapest pa-per published in Southern Illinois. providing for the current expenses of the state government has passed the house but is meeting with opposition in the senate, especially among the democrats. The democrats in the house mostly opposed offered, but every one of them was voted down, and the bill was ordered to a third reading. When it is put upon its passage, however, the republicans will find that they will have to submit to some amendments or they cannot command votes enough to carry it through.

IT IS NOW CONCEDED at \$3,000 having been lost in the senate by a vote of 25 to 10, it requiring 26 to make a constitutional majority.

THE BOAD BILL

all in full force. While the New has been laid aside as too long a job to Hampshire democracy stood on the take up during the hot weather. Some of platform of the national convention of the judges and justices in the state have accordance with the requirements of the win victories. Perhaps this fact is visions of law, and that land may be con-

> of the session, and was not reported enrolled before both houses were adjourned It did not, therefore, reach the governor the Macon (Ga.) Telegraph and Messenger in the regular order of business. Since this session convened, the bill has been signed by the speakers of both houses and presented to the governor, but his present impression is that it does not come by proper legislative authorare some whispering of sculldaggery concorning it, but I am inclined to think that pernicious habit of setting the time of adjournment a week or two in advance, when it is impossible to tell in what condition the business will be in when that

The house has asked to adjourn finally

## CURRENT NOTES.

-The surviving soldiers of the war of 1812 hold their annual meeting to-day, at his pistol in his pocket, he and Mr. -The colored endet lately admitted to

West Point from Tennessee, is known there us " Lord Napier." -The president has appointed John H.

Pitts commissioner to attend; the centenWhich he took with him for this purpose

ence at Philadelphia. -Mobile, Ala., has found a new ma-

terial for street paving in "eyprus shavings." It is said this road bed will remain -Woodhull & Claffin, the female brok-

ers, have sued the Christian Union for \$250,000 damages for publishing Mrs. Stowe's new novel, "My Wife and I," which contains two characters, of which they think themselves the originals.

-There isn't a baseball club in Xenia. stage If, too, the headquarters of the Ohio, and the authorities keep out patrolcommittee could be located elsewhere men on all the roads, with instructions to than at Springfield, the party would be shoot any man approaching with but or ball. It is expected the population, under this administration, will double every three months by immigration from infected | yourself.

## FOREIGH NOTES.

Mr. James Authory Froude, the histo rian, has just been relieved from holy orders. assumed in his youth at Oxford. He availed himself of the "Clergy Disabilities

Dombrowski, says the Independence Belge offered, on the eve of the entry of the Versaillists into Paris, to betray the Commune for 500,000 francs. M. Thiers declined the modest proposal.

The Marquis of Lorne being virtually de the Vallandigham stamp-permitted to

land that he will shortly come to Canada to rule the Dominion.

General Cluseret, as War Minister of the Commune, sent an American citizen to M. Thiers offering to sell the gates of Paris for the round sum of 10,000,000 francs. M. Thiers refused, but scarcely had the envoy returned than the Commune smelt a rat and put the "General" under lock and key.

Victor Emanual, though king of a very poor country, financially speaking, is epresented to be one of the richest crowncenters in Europe. He is said to have a fortune of at least 100,000,000 lier (\$20 000,000.) Among other things he is the owner of some twenty splendid palaces, and early seven hundred blood horses.

-It is now announced that all chloroform robberies are shams. The doctors say that the attempt to administer the drug to sleeping persons invariably awakens them, and that all who allege chloroforming as an excuse for being robbed of other people's money may be set down as sharing in the robbery. At this rate what is to become of genteel swindling?"-The

Of John Stuart Mill the London Times reently said: "Mr. Mill was born to excite hope and disappoint expectation. He is always gay and always abortive. With never-failing freshness and inexhaustible good-nature, he resumes before each audi- hands. ence his old position at the beginning of all things and marches us triumphantly up to a dead wall." Unlike The Times, how ever, he rarely butts his head against it more than once.

Prince Bismarck is said to have made the following remarks to Minister Wash. burne: "The civil war in Paris does not career. All the Reds of Europe have met there by appointment. When they will have run their race, the outlet will be barred, and happy those who will succeed in making their escape." It was in keeping with this declaration of Bismarck

-Brigham Young celebrated his 70th birthday on the 2d inst., by a royal repast, in the Lion house, at which were eightyseven men, women and children, all near relations or connections of his family. His private secretary read an address, which closed with the wish: "May you live till the rulers of every nation on earth shall acknowledge the wisdom of God in your administration, seek unto you for counsel, and recognize you, as you truly are, the friend of God and man!"

#### POLITICAL.

-Nathaniel Hawthorne said that one of the most terrible consequences of the war would be the contentedness of the American people with one bullet-headed general, as president, after another, for the next thirty years.

-Bob Toombs, of Georgia, who says what he thinks much more boldly than Jeff 1868 defeat followed defeat. When it decided that juries may be summoned in Davis, is to be called before the Congression sional anti-ku-klux committee to give his testimony as to the condition of the south. We hope Toombs will respond, for he may demned for highways or other public uses be enable to let us know what is his as herstofore, and a jury, summoned as in ground for the faith that is in him that A CONGRESSMAN-AT-LARGE is to be other civil cases, at the request of either the southern people want another war. very important that a road law or even an recently, and we are curious to see what Mr. Logan to the United States senate. animal domain bill be passed this session. he will say to the congressional committee The appropriation of \$60,000 for the In- on that head .- New-York Herald.

> per Hon, Ben, H. Hill's presence at the dinner given by Gov. Bullock to senator Cameron and other northern republicans, a a startling verification that times change "Perhaps the gulf that now intervenes between the people of this land and that peace and necord so much needed, might not now be so deep and wide had fewer bitter words been spoken on both sides.

## THE PARTICULARS.

HOW VALLANDINGHAM CAME TO HIS DEATH.

REFORE IT HAPENED-THE PISTOL-NEVER FEAR-POLLETT IS MISTAKEN -A SUD-

on Westnesday next, but the senate has the landford of the hotel a bit of muslin not yet concurred.

ELI NOYES. the landford of the hotel a bit of muslin cloth, perhaps a foot square, for the purpose of testing to his own satisfaction the question as to whether a shot fired from a pistol in closo proximity to it would or would not leave a mark of powder upon it. liken and Mr. Hume went out together to the edge of town beyond the residence of governor McBurney. Arriving there, they were joined by Mr. McBurney, and the trio became a quartette.

nial anniversary of American independ- is a new revolver which he had purchased only a few days before coming to Leban-on. It is one of Smith & Wesson's man-ufacture, with a four-inch barrel, and five chambers, and carrier and five chambers, and carries a ball of 32-100 of an inch caliber. It is a beautiful weapon, handsomely, though not elaborately ornsmented, and its owner little thought, when so recently purchasing it, that it would so soon be the instrument of his untimely

> HOW THE ACCIDENT CAME ABOUT. Two shots were fired into the cloth, and all were satisfied with the result of the experiment, and started back to the hotel. Mr. Milliken, ever cautious and thought-

> "Val., there are three shots in your pistol yet. You had better discharge them."
> "What for?" responded Mr. Vatlandig-

ham.
"To prevent any ascident," replied the cautious attorney. "You might shoot "No danger of that," replied Mr. Vallandigham. "I have carried and practiced with pistols too long to be afraid to

"You had better be careful, though, said Milliken. "Never fear me," was the reply. They then slowly walked back toward

have a loaded one in my pocket.

the town, and, before they had reached the hotel, separated, Arriving at the Lebanon house alone Mr. Vallandigham was stopped on his way up stairs by the landlord, and a package that had been left for him in his absence placed in his hands. That parcel contained another revolver-a weapon that had been exhibited at the trial in court and was not only unloaded, but had

how it's done."

Thus invited, Symmes entered the room, but a moment later, seeing Judge Pope coming up stairs, excused himself on the ground that he was going to Hamilton in the morning, and wished to see the judge before he left. He passed out and a minute or so afterward Mr. McBurney came into the room. Mr. Vallandigham still standing by the table on which the pistols lavingid.

lay said:
"I'll show you how Tom Myers shot himself. Follett's mistaken when he says it can't be done." Saying this he took up one of the murderous instruments in his hands, put it into his pantaloons pocket and slowly drawing it out again, cocking it as he drew it forth, he attempted to place it in the exact position which he believed Myers' weapon to have assumed at the moment the fatal bullet was sped on its mission of death. The muzzle f the weapon still within the lappel of the pocket, he brought it to an angle of about forty-five degrees.

"There, that's the way Myers held it, only he was getting up, not standing erect."
Saying this, he touched the trigger.

A sudden flash—the half surpressed sound of a shot—and Clement L. Vallandigham, with an expression of agony, ex-claimed, "My God, I've shot myself," and recled toward the wall a wounded and dying mat -- wounded and dying by his own

#### THE GREAT DEAD MAN.

A BRIEF SKETCH OF HIS LIFE. He came of a Huguenot family, and was born in New Lisbon, Columbiana county, Ohio, in 1822. He received a good educa-tion; spent one year in Jefferson College in Ohio; spent two years as principal of an academy at Snow Hill, Maryland; re-Europe. Let the Commune go on its mad was admitted to the bar in 1842; was elected to the state legislature in 1845 and 1846; was editor of the Dayton Empire rom 1847 to 1849; for some years subse-ment to that date he devoted himself wholly to his profession and polities; was a member of the "national democratic convention held at Cincinnati in 1856; ran for the thirty-lifth congress against that the Prussians fired on the fugitives of the Commune.

L. D. Campbell, whose seathe successfully contested; and he was re-elected to the thirty-sixth congress. At the commencement of the second session of the thirty fifth congress, and during the thirty-sixth, he was placed on the committee on terriinated for goveror of Ohio, and defeated He subsequently returned, and was a delegate to the "Chicago convention" of 1861. Since then, with the exception of the part he took in the New-York convention, and the subsequent canvass, he has devoted himself assiduously and quietly to the practice of the law, until the recent Ohio democratic convention, where he successfully advocated an advanced position and a froward policy for the democratic party.

THE CASE DECIDED IN FAVOR OF THE CITY

State of Illinois. Supreme Court, of January Term, 1871. Central Grand Di-Walter Falls v. City of Cairo. Appeal from Alexander.

sinion of the Court by Mr. Justice Shelder

This was an action of assumpsit for noney had and received, brought to the April term, A. D. 1870, of the Alexander | the money. Circuit Court by appellant against appel-lee, to recover back certain moneys paid in 1868 as special assessments upon ap-pellant's lots in the said city of Cairo.

In the year of 1867 the city of Cairo, through the City Council, ordered Washfew nights since, at Atlanta, has furnished lington avenue and Poplar street, two streets of the city, to be graded and filled. To defray the expenses of these improvea startling verification that times change ments a special assessment was laid upon and menchange with them, and it says the lots fronting, bounding or abutting on said streets. The appellant owned two lots assessed in his name, which run through from Poplar street to Washington avenue, and were assessed for the filling of both streets, and four other lots fronting on Washington avenue, and assessed for the filling of said avenue. The assessments were made by the Board of Public Works, confirmed by the City Council, and war-rants issued to the collector of city taxes directing the collection thereof. amounts assessed upon appellant's lots were not paid within the time fixed by the ity Council, and after publishing his lots as delinquent, a judgment against each of them was rendered in the County Court After taking supper, he procured from the landlord of the hotel a bit of thushing of these judgments and the issuing of precepts to sell said lots, the appellant paid amount assessed upon

amounting in the aggregate to \$1,602.56. The city then abandoned the collection of the assessments in which were included appellants lots, and for the filling of Poplar street and Washington avenue, and after applying the amounts collected by virtue of the special assessments, to the payment for the filling and grading of said streets, issued the bonds of the city in payment for the balance, and all property, real and personal, in the city, is taxed to pay the interest on these bonds, as well the lots of appellant, upon which he has paid his of payment, the appellant brought this suit, and he insists upon the following points, upon which he basis his right to

recover 1st. The assessments were illegal, unconstitutional and void 2d. The payment of the assessments by

appellant was compulsory. 3d. To retain the money paid after an abandonment of the assessments would be in violation of the constitution, and contrary to equity and good conscience.

4th. The consideration for which the noney was paid has wholly failed.

By reference to section 5, article 5, of the Charter of Cairo, private laws 1867, vol. 1, page 382, we find the City Council is empowered to cause any street to be filled and graded, "and to assess and col-lect the expense and cost of the same, together with the expense of collection, from the real property benefited thereby, to the extent of the benefit so conferred by such improvement, the balance of the cost of such improvement to be paid out of the improvement fund, said assessment and collection to be made, as the City

Council may by ordinance direct."

To carry into effect this provision of the charter, an ordinance was passed by the City Council. Section 8 of this ordi-nance provides—" After said contract has been awarded or said material furnished and work performed by the city, the Board of Public Works shall immediately proceed to make an assessment of the proper proportions of the expense and cost of such improvement upon each lot or part of lot fronting, bounding or abutting upon the street, avenue or highway or portion of street, avenue or highway filled barred from any political preferment at home, the belief is gaining ground in Scotthe same time taking his own weapon

street, avenue or highway or portion of street, avenue or highway filled and the chambers removed. Proceeding to his room, he unwrapped the parcel, and at the same time taking his own weapon pecial benefit conferred by such improveto "pan out" only a moderate crop.

from his pocket, laid the two murderous instruments on the table, side by side.

A moment later, Mr. Scott Symmes, a young lawyer connected with the prescution of the case, passed the door.

'Symmes," said he, "Follett is mistaken. A man could easily shoot himself as Myers was shot. Come in and I will show how it's done."

The same section imposes upon the Board of Public Works the duty of examining the locality where the proposed improvement or proposed improvement of Public Works the duty of examining the locality where the proposed improvement is to be made, as well as all the lots or parts of lots that will be specially benefit. ever, not to exceed the total cost of such improvement or proposed improvement. The same section imposes upon the Board of Public Works the duty of examining the locality where the proposed improvement is to be made, as well as all the lots or parts of lots that will be specially benefits of the second control that thereby.

or parts of lots that will be specially benefitted thereby.

Admitting these assessments to have
been illegal, unconstitutional and void,
because the making of the assessments
was confined to the particular property
fronting upon the street which might be
specially benefitted, it was not extended to
all the property which might be so benefitted. After having paid them, under the
circumstances in this case, is the appeallant entitled to recover the money back on
the ground of the payment having been a
compulsory and not a voluntary one? The
precept which was in the hands of the officer at the time these assessments were precept which was in the hands of the of-ficer at the time these assessments were paid, did not authorize him to levy upon the goods and chattles of the appeallant, but directed him merely to make sale of the lots to satisfy the assessments. In Bradford v. the city of Chicago, 25 Ill. 411, it was held that the payment of an assess-ment made to a collector of taxes, whilst having in his hands a warrant to levy and collect the amount of the assessment, of collect the amount of the assessment, of goods and chattles of the owner, might be considered compulsory, and made under such circumstances as would authorize the party paying the money to recover back the same, if the assessment was illegally

made.

But it was decided in Stover v.

Mitchell, 45 Ill., 213, that a levy of an
execution upon ones land did not make a
case of such duress or compulsion that a
payment made to prevent the sale of the
land under the execution could be recovered back as a compulsory payment. It was held to be a voluntary payment and not one made under duress, and it is there said, "It is insisted that the levy of the execution on Stover's land was the exercise of such compulsion as to interfere with Stover's freedom of action. No case is cited going to this extent, and we ven-ture to say none can be found. In order to render such a payment compulsory, such a pressure must be brought to bear upon a pressure must be brought to bear upon the person paying as to interfere in some way with the free enjoyment of his right of person or property," citing Bradford v. the City of Chicago, supra. and Elston v. City of Chicago, 40 Ills., 514.

There was here no interference with the plaintiff's free enjoyment of his property, and there would not have been, by making the sale of it under the precept. Such sale would not have dis-

cept. Such sale would not have dis-turbed his possession of the property he would then have had two years to redeem from the sale, and if at the end of tories. Re-elected to the thirty-seventh congress. In 1863 he was arrested by military authority for expressing his opinions that time the purchaser had obtained his tax deed and brought his action of ejectivary authority for expressing his opinions. against the war, was banished to the south-ern states, and by way of Bermuda went to Canada. During his exile he was nom-of the possession defeated. Or had the plaintiff desired to remove any cloud which might be brought upon his title by such a sale, he could have had his remedy for

that purpose.

It is very unlike the case of the payment of money made to avoid the seizure of goods, or to gain the possession of them, where there may be a pressing necessity for their immediate use, and being of a THE STREET FILLING.

THE STREET FILLING.

THE DECISION OF THE SUPREME COURT IN THE CASE OF FALLS V. THE CITY.

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THE CASE DECISION OF THE SUPREME COURT OF THE CASE OF THE it back, do not apply to the case of real estate threatened with such action as in the present case. And we think the payment of these assessments was not made under such circumstances of constraint and compulsion as to except it from the operation of the legal principle, that if a party with full knowledge of all the facts of the case, voluntarily lischarge of a demand unjustly made on

him, he can not afterwards recover back As to the third point, the reason does not appear why the collection of the other assessments was abandoned. If they were illegal and void as claimed, we may presume it to have been because they were not

paid voluntarily, and the city could not But the improvement was not abandoned; it was completed, and the money paid by the plaintiff was not retained by

the city, but it was applied towards the expense of the improvement. The plaintiff has but paid the amount of the special benefit which his property

derived from the improvement. It was equitable that he should do so the circumstance that others failed to make payments for their special benefits, does not vary the case. It does not ap-pear to us, to be contrary to equity and good concience for the city to retain this money, and apply it in relief of the general property owners from the pay-ment for a special benefit conferred upon

the plaintiff alone. As to the consideration for the payment having wholly failed, the improve-ment having been made, it is to be considered that the plaintiff has received a full equivalent or compensation for the money paid, in the enhanced value which his property has derived from the improvement. (Canal Trustees, et. al., es, the city of Chicago, 12, Ill. 403, Sharp vs.

Speir 4, Hill 76.) In Bradford es, the City of Chicago, supra; the cases of the Bank of New Orleans vs. the city of New Orleans, 12, Louisiana, R. 421; the city of Louisville es. Zanone, 1 Met. (Ky.) 151; and Walker es. city of St. Louis, were cited, which de-cide that where an illegal special assess-ment for special benefits has been voluntarily paid it is not recoverable back, on the ground that a consideration was received for the money paid, in the special benefit conferred by the improvement, and one so benefitted was not in good conscience en-titled to recover back again the money

The case of Bradford vs. the city of Chicago, supra, is distinguished from th present one, not only by the fact that there the collector had in his hands a warrant against the goods and chattles of the plaintiff at the time the payment was made, but the contemplated improvement was not made, but was abandoned; so that the consideration for the payment had wholly failed.

The judgment of the Court below hav-ing been for the defendant, it must te affirmed. Judgment affirmed. State of Illinois, Supreme Court, Central Grand

I, William A. Turney, Clerk of said Suprome Court, do hereby certify that the foregoing is a true copy of the opinion of said Court in said cause as the same appears of record in my office. In testimony whereof I hereunto

[L. s.] set my hand and affix the seal of said Court, at Springfield, this 14th day of June, A. D., 1871. WM. A. TURNEY. Clerk, Supreme Court.

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